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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR   | ATTORNEY DOCKET NO.      | CONFIRMATION NO.              |
|-----------------|-------------|------------------------|--------------------------|-------------------------------|
| 10/675,307      | 09/30/2003  | Gary Leonard Skibinski | 03AB254/YOD<br>ALBR:0141 | 5342                          |
| 7590            | 01/26/2005  |                        |                          | EXAMINER<br>POKER, JENNIFER A |
|                 |             |                        |                          | ART UNIT<br>2832              |
|                 |             |                        |                          | PAPER NUMBER                  |

DATE MAILED: 01/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| <b>Office Action Summary</b> | <b>Application No.</b>               | <b>Applicant(s)</b>     |
|------------------------------|--------------------------------------|-------------------------|
|                              | 10/675,307                           | SKIBINSKI, GARY LEONARD |
|                              | <b>Examiner</b><br>Jennifer A. Poker | <b>Art Unit</b><br>2832 |

-- Th MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### **Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 30 September 2003.

2a)  This action is **FINAL**.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## **Disposition of Claims**

4)  Claim(s) 1-26 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5)  Claim(s) 20-26 is/are allowed.  
6)  Claim(s) 1-3 and 10-15 is/are rejected.  
7)  Claim(s) 4-9 and 16-19 is/are objected to.  
8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on 30 September 2003 is/are: a)  accepted or b)  objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a))

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_

4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_ .

5)  Notice of Informal Patent Application (PTO-152)

6)  Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***General Status***

1. This is a first action on the merits of application filed on September 30, 2003. Claims 1-26 are pending and are being examined.

### ***Specification***

2. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

3. The abstract of the disclosure is objected to because it contains implied phraseology including, "The present invention provides. . ." Correction is required. See MPEP § 608.01(b).

### ***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

*The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.*

5. Claim 13 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claim appears to not be complete. Completion of the claim is required otherwise the claim must be cancelled. The claim, in present form, was unable to be examined.

***Claim Objections***

6. The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Misnumbered claim 4 must be renumbered to claim 3.

Misnumbered claim 5 must be renumbered to claim 4, and its dependency must be changed to be dependent on claim 3.

Misnumbered claim 6 must be renumbered to claim 5, and its dependency must be changed to be dependent on claim 4.

Misnumbered claim 9 must be renumbered to claim 6, and its dependency must be changed to be dependent on claim 5.

Misnumbered claim 10 must be renumbered to claim 7.

Misnumbered claim 11 must be renumbered to claim 8.

Misnumbered claim 12 must be renumbered to claim 9.

Misnumbered claim 13 must be renumbered to claim 10.

Misnumbered claim 14 must be renumbered to claim 11.

Product claims 15-26 must be renumbered by the applicant to indicate proper numbering and proper dependency.

Original numbering will be used for examination purposes. Correction is required.

***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1, 2, 10, 11, 12, 14, and 15, are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent Number 6,392,519 to Ronning.

Regarding claim 15, Ronning discloses a magnetic core/electromagnetic device mounting system comprising:

- (1) an electromagnetic device (12), such as an inductor with a cylindrical configuration (figure 1);
- (2) a desired volume within a cup for the inductor; the cup not being limited to any particular shape, therefore having any desired diameter (figure 1; column 3, lines 43, 62-65);
- (3) thermal conduction from the core to the lower heat sink (22 – primary heat dissipating area) via surrounding side walls (26) and base (24) (figure 1; abstract; column 2, lines 28-30);
- (4) an adjacent heat sink (20), which may fins on its back side for convection heat transfer from the core (figure 1; abstract; column 3, lines 28-29).

The heat sink (20) appears to have a surface area less than that of the mounting cup/heat sink (22) (figures 1 & 2).

It is clearly seen in the drawings that there is a height dimension associated with the inductor and its mounting cup.

Claims 1, 2, 10-12, 14 are the method counterpart to original numbered product claim 15 and method steps are therefore inherent for manufacturing an inductor as claimed by the inventor.

***Allowable Subject Matter***

9. Original numbered claims 20-26 are allowed.
10. Original numbered claims 4-9 and 16-19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
11. The following is a statement of reasons for the indication of allowable subject matter:

Regarding claims 4-9 and 24-26 no prior art of record or combination thereof discloses an electrical inductor wherein a height of the inductor is less than 40 percent of the diameter of the base surface.

Regarding claims 16-26, no prior art of record or combination thereof discloses an electrical inductor wherein a lateral side surface of the inductor is a cylinder having a height computed by dividing the magnetic volume by the area of the primary heat dissipation surface.

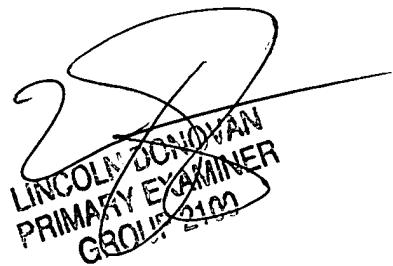
***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer A. Poker whose telephone number is 571-272-1997. The examiner can normally be reached on 4:30-3:00 Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Elvin G. Enad can be reached on 571-272-1990. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jap  
January 22, 2005

  
LINCOLN DONOVAN  
PRIMARY EXAMINER  
GROUP 2100